

11. VESSEL ALIGNMENT AND PROVISION

11.1 The current provision of vessels and their TEU capacities for each Party are set forth as below

COSCON will provide ~~4845~~ vessels of approximately ~~294,112~~275,300 TEU capacity. KL will provide ~~3834~~ vessels of approximately ~~196,017~~172,300 TEU capacity. YMUK will provide ~~5236~~ vessels of approximately ~~207,434~~185,940 TEU capacity. HJS will provide ~~6958~~ vessels of approximately ~~340,000~~317,710 TEU capacity

A Party may not permanently (meaning for more than 90 calendar days) increase or decrease its number of vessels and/or TEU capacity by more than fifteen percent unless this Article 11.1 is amended and effective under the Shipping Act to reflect such increase or decrease. The Parties will submit to the FMC Quarterly Reports stating the current services, vessels and TEU capacities under this Agreement and any anticipated cancellation of vessel strings. The Parties shall consult and agree on the number, size and type of Vessels to be provided by each party hereunder and operated in the Trade. The Parties shall consult prior to employment in the Trade of any tonnage in excess of that previously scheduled. The Vessels may be owned, demised, or time-chartered by the Slot Provider.

11.2 The Vessel alignment and provision for all services shall be as agreed from time to time. The Slot Provider may replace any of the Vessels in the services with a comparable one which shall be in the same or better condition in terms of its service performance, which includes speed and transit time in the Trade. All extra expenses resulting from such replacement shall be for the account of the Slot Provider.

11.3 Slot Hire: Slot hire shall be as agreed upon from time to time.

11.4 Total Loss, Constructive Total Loss

11.4.1 In case of a Vessel being declared an actual or constructive total loss, the Slot Provider shall provide a substitute vessel within two months, provided that such substitute vessel is, in terms of capacity and speed, reasonably comparable with or better than the remaining Vessels in the service.